

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF OKLAHOMA

DORRET FRANCIS, ANTHONY  
KENNEDY, and CHRISTINE PEARCE,  
on behalf of themselves and all others  
similarly situated,  
Plaintiffs,

v.

Case No.: CIV-18-583-SLP

APEX USA, INC.; HOTELMACHER,  
LLC, dba HOLIDAY INN EXPRESS;  
SONTAG, INC. dba HAMPTON INN  
CLINTON; STEAKMACHER, LLC, dba  
MONTANA MIKE'S STEAKHOUSE;  
SCHUMACHER INVESTMENTS, LLC,  
dba WATER ZOO INDOOR WATER  
PARK; WALTER SCHUMACHER; and  
CAROLYN SCHUMACHER,  
Defendants.

**PLAINTIFFS' CROSS-MOTION FOR PROTECTIVE ORDER**

COME NOW Plaintiffs Dorret Francis, Anthony Kennedy and Christine Pearce ("Plaintiffs" or "Named Plaintiffs") respectfully request that the Court deny Defendant Walter Schumacher's ("Defendant" or "W. Schumacher") Motion to Compel (ECF No. 56) (the "Motion") and respectfully move this Court to enter a protective order pursuant to Federal Rule of Civil Procedure 26(c) prohibiting Defendants from inquiring into (1) the current or former immigration status of the Named Plaintiffs or putative Class Members, except when employed by Defendants, and (2) the names or locations of the Named Plaintiffs' or putative Class Members' post-Defendant employers. In support hereof, the Plaintiffs refer to their contemporaneously-filed Memorandum in Opposition

to Defendant's Motion to Compel and in Support of Plaintiffs' Cross-Motion for Protective Order.

**LCvR 37.1 CERTIFICATION**

Pursuant to Fed. R. Civ. P. 26(c) and LCvR 37.1, the undersigned counsel for the Plaintiffs hereby certifies that counsel for the parties have conferred multiple times in good faith regarding the relief requested in this motion, including telephonically on December 16, 2019, and by email on December 6, 2019, December 11, 2019, December 19, 2019 and December 20, 2019, and counsel for Defendants has indicated that they are opposed to the relief requested in this motion. The offices of counsel for the Plaintiffs being located in various locations including Austin, Texas, San Francisco, California, and Boston, Massachusetts, and the office of counsel for the Defendants being located in Oklahoma City, Oklahoma, the distance between counsels' offices renders a personal conference infeasible.

Dated: January 21, 2020

Respectfully Submitted,

By: /s/ Rebecca Eisenbrey

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